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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

CARTIER INTERNATIONAL AG;
CARTIER, a division of RICHEMONT
NORTH AMERICA, INC.;
VAN CLEEF & ARPELS, S.A. and
VAN CLEEF & ARPELS, a division of
RICHEMONT NORTH AMERICA, INC.,

Plaintiffs,

v.

MOTION IN TIME, INC.,

Defendant.

Civil Action No. _____

**COMPLAINT
(JURY TRIAL DEMANDED)**

Plaintiffs Cartier International AG; Cartier, a division of Richemont North America, Inc. (individually and together, "Cartier"); Van Cleef & Arpels, S.A. and Van Cleef & Arpels, a division of Richemont North America, Inc. (individually and together, "VCA") (all collectively "Plaintiffs") for their Complaint against Defendant Motion in Time, Inc. ("Defendant"), allege as follows:

NATURE OF THE ACTION

1. Plaintiffs are among the world's most renowned luxury jewelry and watch houses. For decades, watches bearing the CARTIER and VAN CLEEF & ARPELS and related trademarks (collectively, "Plaintiffs' Marks") have been highly regarded throughout the world as finely crafted works of art. Today, these names represent some of the world's most prestigious and sought-after watch brands.

2. Defendant operates a brick-and-mortar store in New York City, an online retail site *motionintime.com* and an eBay store at *stores.ebay.com/Motion-in-Time*. Through these retail outlets, Defendant engages in unfair and deceptive business practices, including selling used CARTIER and VAN CLEEF & ARPELS watches advertised as new.

3. Defendant's actions, as noted above and as further described herein, are causing immediate and irreparable harm to Plaintiffs and Plaintiffs' Marks, and are also harming consumers. To redress the harm being done to Plaintiffs and to the public, Plaintiffs bring claims for false advertising and unfair competition under Section 43(a)(1)(A) and (B) of the United States Trademark Act of 1946, as amended (the "Lanham Act"), 15 U.S.C. § 1125(a)(1)(A) & (B); trademark infringement under Section 32(1) of the Lanham Act, 15 U.S.C. § 1114(1); trademark dilution under Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c); and related claims under New York's statutory and common law. Plaintiffs seek injunctive and monetary relief.

JURISDICTION AND VENUE

4. This Court has jurisdiction under Section 39 of the Lanham Act, 15 U.S.C. § 1121, under Sections 1331 and 1338(a) and (b) of the Judicial Code, 28 U.S.C. §§ 1331,

1338(a) & (b), and under principles of pendent jurisdiction. Supplemental jurisdiction exists over Plaintiffs' state law claims pursuant to 28 U.S.C. § 1367.

5. This Court has personal jurisdiction over Defendant under New York Civil Practice Law and Rules §§ 301 and/or 302(a) because, upon information and belief, (i) Defendant is a New York Corporation; (ii) Defendant is domiciled in New York; and/or (iii) Defendant does continuous and systematic business in New York.

6. Venue is proper in this District under Section 1391(b) of the Judicial Code, 28 U.S.C. § 1391(b), because Defendant resides in this District, and because a substantial part of the events giving rise to the claims occurred in this District.

THE PARTIES

7. Plaintiff Cartier International AG is a public limited company organized and existing under the laws of Switzerland, having its principal place of business at Hinterbergstrasse 22, 6330 Cham, Switzerland.

8. Plaintiff Cartier, a division of Richemont North America, Inc., is a corporation organized and existing under the laws of the State of Delaware, having its principal place of business at 653 Fifth Avenue, New York, New York 10022-5910. Cartier, a division of Richemont North America, Inc., is the exclusive distributor of CARTIER-branded products in the United States.

9. Plaintiff Van Cleef & Arpels, S.A. is a corporation organized and existing under the laws of Switzerland, having a principal place of business at 8 Rue des Biches, 1752 Villars-sur-Glane, Switzerland.

10. Plaintiff Van Cleef & Arpels, a division of Richemont North America, Inc., is a corporation organized and existing under the laws of the State of Delaware, having a principal place of business at 645 Fifth Avenue, 6th Floor, New York, New York 10022.

11. Upon information and belief, Defendant is a New York corporation with a principal place of business at 56 West 47th Street, New York, New York, 10036.

FACTS COMMON TO ALL CLAIMS FOR RELIEF

I. PLAINTIFFS AND THEIR BUSINESSES

A. *Cartier and Its Marks*

12. Cartier is a world-famous supplier of fine jewelry and luxury watches sold under the CARTIER name and mark.

13. Founded in 1847 by Louis-François Cartier, Cartier has built a reputation for fine craftsmanship in the jewelry and watch-making field. Through over 160 years of use, Cartier has built its CARTIER name and mark to be synonymous with high-quality, well-crafted luxury goods. Today, the company offers for sale and sells a wide range of products including timepieces, fine jewelry, and accessories. Cartier's commitment to innovation in design and function, as well as the use of only the finest materials, has brought it renown as a leading maker of luxury goods.



14. Among Cartier's most recognizable products is its TANK watch. Created by Louis Cartier and first introduced in 1919, Cartier TANK watches were inspired by military tank vehicles in use by the Allies during World War I. Today, the TANK watch is one of the foremost emblems of Cartier, and comes in a variety of styles, all of which maintain the iconic body of the original: the TANK Française, the TANK Américaine, the TANK Anglaise, the TANK Louis Cartier, and the TANK Solo.

15. Among the trademarks owned and used by Cartier is the world-famous CARTIER trademark, which has been used continuously in the United States in connection with the advertising and sale of fine jewelry and watches since at least as early as 1909. The CARTIER trademark is the subject of, among other registrations, U.S. Trademark Registration No. 759,201, registered on October 29, 1963, and, in stylized form, U.S. Trademark Registration No. 411,975, registered on February 13, 1945; U.S. Trademark Registration No. 4,178,047, registered on July 24, 2012; and U.S. Trademark Registration No. 4,178,048, registered on July 24, 2012. Printouts from the online database of the United States Patent and Trademark Office (“USPTO”) showing the particulars of these registrations are attached hereto as **Exhibit A**. These registrations are valid, subsisting and in full force and effect and serve as prima facie evidence of the validity of the CARTIER mark and of Cartier’s exclusive right to use the mark in commerce for the registered goods. 15 U.S.C. § 1057(b). Further, U.S. Trademark Registration Nos. 759,201 and 411,975 are incontestable under Section 15 of the Lanham Act, 15 U.S.C. § 1065, and therefore serve as conclusive evidence of the validity of the CARTIER mark, of the registration of the mark, and of Cartier’s exclusive right to use the mark for the registered goods, as provided by Section 33(b) of the Lanham Act, 15 U.S.C. § 1115(b).

16. In addition to the world-famous CARTIER mark, Cartier uses numerous other trademarks in connection with its products, including, but not limited to, TANK. The TANK trademark is the subject of U.S. Trademark Registration No. 1,006,321, registered on March 11, 1975. A printout from the USPTO’s online database showing the particulars of this registration is attached hereto as **Exhibit B**. This registration is incontestable under Section 15 of the Lanham Act, 15 U.S.C. § 1065, and therefore serves as conclusive evidence of the validity of the

TANK mark, of the registration of the mark, and of Cartier's exclusive right to use the mark for the registered goods. 15 U.S.C. § 1115(b).

17. In addition to the TANK mark, Cartier owns trademarks in certain elements of the TANK watches themselves. These include elements of the TANK Francaise watch, as follows:

Mark	Reg. No.	Reg. Date	Registered Goods
	3282847	August 21, 2007	Horologic and chronometric instruments, namely, watches
	3282846	August 21, 2007	Horologic and chronometric instruments, namely, watches

Printouts from the online database of the USPTO showing the particulars of these registrations are attached hereto as **Exhibit C**. These registrations are valid, subsisting and in full force and effect and serve as prima facie evidence of the validity of the registered marks and of Cartier's exclusive right to use the marks for the registered goods. 15 U.S.C. §1057(b). Collectively, the marks shown in **Exhibits A, B and C** are referred to herein as the "CARTIER Marks."

18. Cartier has extensively advertised and promoted the products manufactured, sold and offered for sale under the CARTIER Marks. The CARTIER Marks immediately indicate Cartier as the exclusive source of products to which they are affixed, and signify goodwill of incalculable value.

19. Cartier's products sold under the CARTIER Marks are available throughout the United States, both through Cartier's own boutiques and in additional authorized retail stores. Cartier sells millions of dollars of products under the CARTIER Marks each year.

20. Cartier has expended large sums of money in advertising and promoting to the trade and to the public the CARTIER Marks and the products sold under those marks.

21. Through Cartier's significant investment of time, money and effort, widespread sales, and the high quality of Cartier products sold under or in connection with its CARTIER Marks, the CARTIER Marks and the CARTIER trade name have acquired enormous value and have become extremely well-known to the consuming public and trade as identifying and distinguishing the source of Cartier's products exclusively and uniquely. As a result of the great public acceptance of Cartier's products, the CARTIER Marks have come to represent enormous goodwill.

B. *Van Cleef & Arpels and Its Marks*

22. VCA is a world-famous supplier of fine jewelry and luxury watches sold under the VAN CLEEF & ARPELS brand name.

23. Established in France in 1896, VCA and its predecessors-in-interest and associated companies have been doing business under the VAN CLEEF & ARPELS name and mark for more than 100 years, and in the United States since at least as early as 1939. Since its inception, VCA has been known for its innovative, highly artistic and high-quality luxury jewelry and timepieces.

24. Among the trademarks owned and used by VCA is the famous VAN CLEEF & ARPELS mark. The VAN CLEEF & ARPELS mark is the subject of U.S. Trademark Registration No. 1,415,794, registered on November 4, 1986, for jewelry and watches, and U.S.

Trademark Registration No. 2,936,247, registered on March 29, 2005, for jewelry and watches, among other goods. In addition, Van Cleef & Arpels, S.A. owns U.S. Trademark Registration No. 2,692,672 for the logo mark covering watches and watch bracelets, among other goods, registered on March 4, 2003:



Printouts from the online database of the USPTO showing the particulars of these registrations are attached hereto as **Exhibit D**. The above registrations have become incontestable under Section 15 of the Lanham Act, 15 U.S.C. § 1065, and therefore serve as conclusive evidence of the validity of the registered marks, of the registration of the marks, and of VCA's exclusive right to use the marks for the registered goods. 15 U.S.C. § 1115(b).

25. In addition to the VAN CLEEF & ARPELS house mark and logo marks referenced above, VCA uses numerous additional marks in connection with its products. One such mark is POETIC COMPLICATION, which VCA uses in connection with certain watches of exceptional artistry that combine stylistic inventiveness with technical virtuosity to evoke time's poetic dimension. Van Cleef & Arpels, S.A. owns all right, title and interest in and to the POETIC COMPLICATION mark.

26. Collectively, the marks referenced in Paragraphs 24 and 25 are referred to herein as the "VCA Marks."

27. VCA has extensively advertised and promoted the products manufactured, sold and offered for sale under the VCA Marks. The VCA Marks immediately indicate VCA as the exclusive source of products to which they are affixed, and signify goodwill of incalculable value.

28. VCA's products are sold throughout the United States, both through VCA's own boutiques and in additional authorized retail stores. VCA sells millions of dollars of products under the VCA Marks every year.

29. VCA has expended large sums of money in advertising and promoting to the trade and the public the VCA Marks and the products sold under those marks.

30. Through VCA's significant investment of time, money and effort, widespread sales, and the high quality of VCA products sold under or in connection with its VCA Marks, the VCA Marks and VAN CLEEF & ARPELS trade name have acquired enormous value and have become extremely well-known to the consuming public and trade as identifying and distinguishing the source of VCA's products exclusively and uniquely. Because of the great public acceptance of VAN CLEEF & ARPELS-branded products, the VCA Marks and VAN CLEEF & ARPELS trade name have come to represent enormous goodwill.

B. *Plaintiffs' Quality Control*

31. Each Plaintiff maintains strict quality control over products bearing its marks. To ensure product quality, Plaintiffs must necessarily exercise quality control over the entire process, from manufacturing to packaging, from distribution through sale and even through repair, when necessary.

32. Plaintiffs take steps to ensure that the manufacturing process behind their products produces pieces of only the highest quality, befitting the companies' luxury image. Plaintiffs manufacture many of their products themselves. For those pieces that are manufactured by third parties, Plaintiffs maintain the strictest quality control. Before a workshop is permitted to craft products for any Plaintiff, it must pass through a rigorous vetting

process, and every single piece produced by a workshop is sent to a central control unit to ensure the piece's conformity to the Plaintiff's exacting standards.

33. Once a manufactured piece has been approved as conforming to a Plaintiff's standards, the piece is marked not only with the Plaintiff's mark, but also with other indicia of authenticity, including a unique serial number. The serial number allows Plaintiffs to track the origin, distribution, sales and repair history of each particular item, and is critical in protecting the marketplace from counterfeit products. Plaintiffs' use of unique serial numbers on all of their products is important for maintaining the integrity of their products and, consequently, their brands.

34. Having expended so much time and expense perfecting their products and quality control, Plaintiffs closely oversee the sales process to ensure that customers shopping for products bearing Plaintiffs' Marks experience those products the way they are meant to be experienced. Toward that end, Plaintiffs authorize products bearing Plaintiffs' Marks to be sold only through Plaintiffs' own boutiques and through authorized retail stores. Before a third-party retailer is permitted to sell such products, the relevant Plaintiff carefully reviews the retailer to ensure that it is capable of delivering a purchasing experience that matches the luxury image of the brand.

35. Finally, to ensure that consumers remain satisfied with their purchases of products bearing Plaintiffs' Marks long after the initial sale is made, each product comes with an exclusive manufacturer's warranty from the relevant Plaintiff. Because Plaintiffs cannot guarantee either the authenticity or handling of products that have been distributed or sold outside of their authorized sales channels, each Plaintiff only provides warrantied service for

products sold through its respective own boutiques or through authorized dealers. Thus, each piece is accompanied with a warranty booklet detailing the specific Plaintiff's warranty.

36. As is demonstrated by the above description, Plaintiffs undertake considerable efforts to maintain the superior images associated with their respective brands.

II. DEFENDANT AND ITS BUSINESSES

37. Defendant owns and operates both a retail shop located in New York City and two online stores, *motionintime.com* and *stores.ebay.com/Motion-in-Time* (together, the "Websites").

38. Upon information and belief, through both its store and its Websites, Defendant sells high-end luxury watches, including watches bearing Plaintiffs' Marks. In connection with its offering for sale and sale of Plaintiffs' branded watches, Motion in Time lies to and misinforms its customers, as described further herein.

A. *Defendant's Misrepresentations Concerning the Nature of its Watches Bearing the CARTIER Marks*

39. On August 8, 2012, Cartier, through an agent, visited the Motion in Time store located at 56 West 47th Street, New York, New York, 10036. There, Cartier's agent asked to purchase a new, unused CARTIER TANK Française ladies steel watch. Defendant's employee presented Cartier's agent with a CARTIER TANK Française ladies steel watch bearing Serial No. 2384183460BB and represented that the watch was new. Cartier's agent purchased the watch. The watch was packaged in the distinctive Cartier red leather box, and the package included the manufacturer's warranty card stamped by an entity named Tiempo Latino in Argentina.

40. Cartier investigated the watch's history, based on the watch's serial number, and conducted a thorough physical examination and inspection of the watch. Through this comprehensive process, Cartier determined – contrary to Defendant's representation that the

watch was new – that the CARTIER watch sold by Defendant to Cartier’s agent was not new, but was instead used, damaged and refurbished. In particular, Cartier’s inspection revealed that the crystal was glued into the case using a method or materials that differ from those used by Cartier. There is no question the watch was not in a new condition.

41. Upon information and belief, Defendant also has sold to consumers other than Plaintiffs’ agent used, damaged and/or refurbished watches bearing the CARTIER Marks while representing the watches as new.

42. In fact, there would seem to be no way for Defendant to know whether the CARTIER-branded watches it offers for sale are new and unused, since only Cartier can certify whether their products are new and unused, and Defendant has no relationship with Cartier and does not acquire any watches directly from Cartier.

B. *Defendant’s Misrepresentations Concerning the Nature of its Watches Bearing the VCA Marks*

43. On July 19, 2012, VCA, through an agent, visited Defendant’s store located at 56 West 47th Street, New York, New York, 10036. There, VCA’s agent asked to view the VAN CLEEF & ARPELS lady POETIC COMPLICATION Centenaire Four Seasons gold watch. Defendant’s employee presented VCA’s agent with a VAN CLEEF & ARPELS lady POETIC COMPLICATION Centenaire Four Seasons gold watch, Series No. 73 and Serial No. HH3606. Defendant’s employee represented the watch to be “brand new.” VCA’s agent noted the series and serial numbers but did not purchase the watch.

44. Defendant has also listed the VAN CLEEF & ARPELS lady POETIC COMPLICATION Centenaire Four Seasons on its eBay store site as “New with tags” and has further advertised the watch through its eBay store as “brand new.” *See Exhibit E.*

45. VCA investigated the watch's history, based on the watch's series and serial numbers. Through this process, VCA determined – contrary to Defendant's assertions that the watch was "brand" new – that the VAN CLEEF & ARPELS watch shown by Defendant to VCA's agent was sold by VCA to a customer for a gift on February 18, 2009. VCA was further able to determine that VCA employees had observed that customer's gift recipient wearing the VCA watch at issue at an event. Therefore, the VAN CLEEF & ARPELS watch offered for sale by Defendant as "brand new" was previously sold, previously worn, and not in a "brand new" condition.

46. Upon information and belief, Defendant also has sold or offered for sale to consumers other than Plaintiffs' agent used, damaged and/or refurbished watches bearing the VCA Marks while representing the watches as new.

47. In fact, there would seem to be no way for Defendant to know whether the VAN CLEEF & ARPELS-branded watches it offers for sale are new and unused, since only VCA can certify whether their products are new and unused, and Defendant has no relationship with VCA and does not acquire any watches directly from VCA.

III. EFFECT OF DEFENDANT'S UNLAWFUL ACTIVITIES

48. The CARTIER and VAN CLEEF & ARPELS watches offered by Defendant are materially different than the watches sold by Plaintiff and their authorized distributors, and Defendant has undertaken activities in connection with its sale of such watches that misrepresent the nature and quality of the products.

49. Upon information and belief, the purpose of Defendant's deceptive practices is to heighten the appeal of Defendant's goods in the eyes of consumers.

50. Upon information and belief, the effects of Defendant's actions have been to damage the prestige of the CARTIER Marks and VCA Marks in the minds of consumers, and to deceive consumers into believing that there is no material difference between CARTIER and VAN CLEEF & ARPELS products sold by Plaintiffs and their authorized dealers and those sold by Defendant.

51. Defendant's sale and offering for sale of used CARTIER and VAN CLEEF & ARPELS watches, while falsely representing to customers and prospective customers that such watches are new, is likely to deceive, confuse and mislead consumers into thinking that Defendant's CARTIER and VAN CLEEF & ARPELS branded watches are identical to their authentically distributed counterparts when this is not the case. The likelihood of confusion, mistake and deception engendered by Defendant's sale of materially different CARTIER & VAN CLEEF & ARPELS products is causing irreparable harm to Plaintiffs and the goodwill associated with Plaintiffs' Marks.

52. Due to the misrepresentations made by Defendant in connection with its offering and sale of CARTIER and VAN CLEEF & ARPELS branded products, purchasers perceiving a defect, lack of quality or any impropriety association with products sold by Defendant are likely to mistakenly attribute such defects to Plaintiffs.

53. Upon information and belief, Defendant knows, and at all relevant times knew, that it was selling used products that materially differ from CARTIER and VAN CLEEF & ARPELS products distributed through authorized channels, and knew, too, that consumers were likely to believe, based on Defendant's representations, that the products are identical to CARTIER and VAN CLEEF & ARPELS watches sold through authorized channels, when in fact they are not.

62. Defendant's conduct described herein is willful and in violation of Section 43(a)(2) of the Lanham Act, 15 U.S.C. § 1125(a)(2).

63. Defendant's conduct described herein is causing immediate and irreparable injury to Plaintiffs and to their goodwill and reputation, and will continue to damage Plaintiffs unless enjoined by this Court.

64. Defendant's aforesaid deceptive conduct is also deceiving and harming the public, and will continue to deceive and harm the public unless enjoined by this Court.

65. Plaintiffs have no adequate remedy at law.

**SECOND CLAIM FOR RELIEF:
FEDERAL TRADEMARK INFRINGEMENT THROUGH SALE OF
MATERIALLY DIFFERENT PRODUCTS IN VIOLATION OF 15 U.S.C. § 1114(1)**

66. Plaintiffs repeat and reallege paragraphs 1 through 65 as if fully set forth herein.

67. By selling and distributing used, damaged and/or refurbished watches bearing Plaintiffs' Marks as "new," Defendant has sold and distributed watches under Plaintiffs' Marks that materially differ from Plaintiffs' products authorized for sale as new by Plaintiffs.

68. No Plaintiff has authorized Defendant to sell or distribute its products, including, but not limited to, the materially different watches sold and distributed by Defendant.

69. The sale of materially different products under Plaintiffs' Marks by Defendant deprives Plaintiffs of the ability to ensure the luxury quality of products bearing Plaintiffs' Marks and to maintain the prestige associated with Plaintiffs' brands.

70. Defendant's unauthorized sale of materially different products is likely to cause confusion, mistake or deception as to the source or sponsorship of Defendant's materially different products bearing Plaintiffs' Marks, as the public is likely to believe that the sale of such products has been approved by Plaintiffs when such sales have not been so approved.

71. Defendant's sale of materially different products under Plaintiffs' Marks constitutes a false designation of origin and false description or representation that Defendant's sale of such products is authorized by Plaintiffs and therefore constitutes an infringement of Plaintiffs' Marks.

72. Upon information and belief, Defendant's infringement of Plaintiffs' federally-registered marks is willful and deliberate and undertaken with the intent to reap the benefit of the goodwill of Plaintiffs and of their federally-registered marks and the goodwill and reputation associated with these marks. Defendant's actions described herein violate Section 32(1) of the Lanham Act, 15 U.S.C. § 1114(1).

73. The aforesaid conduct of Defendant is causing immediate and irreparable injury to Plaintiffs and to their goodwill and reputation, and will continue to damage Plaintiffs unless enjoined by this Court.

74. Defendant's aforesaid conduct is also deceiving and harming the public, and will continue to deceive and harm the public unless enjoined by this Court.

75. Plaintiffs have no adequate remedy at law.

**THIRD CLAIM FOR RELIEF:
UNFAIR COMPETITION THROUGH SALE OF
MATERIALLY DIFFERENT PRODUCTS
IN VIOLATION OF 15 U.S.C. § 1125(a)(1)(A)**

76. Plaintiffs repeat and reallege paragraphs 1 through 75 as if fully set forth herein.

77. By selling and distributing used, damaged and/or refurbished watches bearing Plaintiffs' Marks as "new," Defendant has sold and distributed watches under Plaintiffs' Marks that materially differ from Plaintiffs' products authorized for sale as new by Plaintiffs.

78. No Plaintiff has authorized Defendant to sell or distribute its products, including, but not limited to, the materially different watches sold and distributed by Defendant.

79. The sale of materially different products under Plaintiffs' Marks by Defendant deprives Plaintiffs of the ability to ensure the luxury quality of products bearing Plaintiffs' Marks and to maintain the prestige associated with Plaintiffs' brands.

80. Defendant's sale of materially different products under Plaintiffs' Marks constitutes a false designation of origin and false description or representation that Defendant's sale of such products is authorized by Plaintiffs, and therefore constitutes unfair competition and infringement of Plaintiffs' Marks.

81. Upon information and belief, Defendant's acts of unfair competition are willful and deliberate and undertaken with the intent to reap the benefit of the goodwill and reputation associated with Plaintiffs' Marks.

82. Defendant's actions described herein violate Section 43(a)(1)(A) of the Lanham Act, 15 U.S.C. § 1125(a)(1)(A).

83. The aforesaid conduct of Defendant is causing immediate and irreparable injury to Plaintiffs and to their goodwill and reputation, and will continue to damage Plaintiffs unless enjoined by this Court.

84. Defendant's aforesaid conduct is also deceiving and harming the public, and will continue to deceive and harm the public unless enjoined by this Court.

85. Plaintiffs have no adequate remedy at law.

**FOURTH CLAIM FOR RELIEF:
FEDERAL TRADEMARK DILUTION THROUGH SALE OF
MATERIALLY DIFFERENT PRODUCTS
IN VIOLATION OF 15 U.S.C. § 1125(c)**

86. Plaintiffs repeat and reallege paragraphs 1 through 85 as if fully set forth herein.

87. As a result of extensive use and promotion of the CARTIER mark and the goods and services offered thereunder by Cartier for more than 100 years, the CARTIER mark is

famous throughout the United States, is highly distinctive of Cartier's goods and services, and is widely recognized among the consuming public as a designation of source of Cartier's goods and services.

88. As a result of extensive use and promotion of the VAN CLEEF & ARPELS mark and the goods and services offered thereunder by VCA for more than 70 years, the VAN CLEEF & ARPELS mark is famous throughout the United States, is highly distinctive of VCA's goods and services, and is widely recognized among the consuming public as a designation of source of VCA's goods and services.

89. The CARTIER and VAN CLEEF & ARPELS marks became famous long before Defendant commenced its activities described herein.

90. Defendant's commercial use of the CARTIER and VAN CLEEF & ARPELS marks for goods that are materially different from authorized CARTIER and VAN CLEEF & ARPELS products has diluted and is likely to dilute the distinctive quality of the CARTIER and VAN CLEEF & ARPELS marks by impairing the distinctiveness of those marks, thereby lessening the capacity of those marks to exclusively identify and distinguish Cartier and VCA, respectively, and by tarnishing Plaintiffs through association with Defendant's materially different goods. Through Defendant's acts, Plaintiffs' reputation has been removed from their power and control, in that deficiencies in or complaints about Motion in Time's goods bearing the CARTIER and VAN CLEEF & ARPELS marks will redound to the harm of respective Plaintiffs.

91. Upon information and belief, the foregoing acts were done willfully and deliberately and with an intent to dilute the distinctiveness of the CARTIER and VAN CLEEF & ARPELS marks in violation of Section 43(c) of the Lanham Act, 15 U.S.C. § 1125(c).

92. Defendant's conduct described herein is causing immediate and irreparable injury to Plaintiffs and to their goodwill and reputation, and will continue to damage Plaintiffs unless enjoined by this Court.

93. Defendant's aforesaid conduct is also deceiving and harming the public, and will continue to deceive and harm the public unless enjoined by this Court.

94. Plaintiffs have no adequate remedy at law.

**FIFTH CLAIM FOR RELIEF:
FALSE ADVERTISING IN VIOLATION OF N.Y. GEN. BUS. LAW § 350**

95. Plaintiffs repeat and reallege paragraphs 1 through 94 as if fully set forth herein.

96. As set out above, Defendant has engaged in advertising that is misleading in a material respect.

97. Upon information and belief, Defendant engaged in false advertising in order to induce consumers to purchase unauthorized products under Plaintiffs' Marks from Defendant.

98. Defendant's actions constitute false advertising in violation of Section 350 of the New York General Business Law.

99. Defendant's conduct described herein is causing immediate and irreparable injury to Plaintiffs and to their goodwill and reputation, and will continue to damage Plaintiffs unless enjoined by this Court.

100. Defendant's aforesaid conduct is also deceiving and harming the public, and will continue to deceive and harm the public unless enjoined by this Court.

101. Plaintiffs have no adequate remedy at law.

**SIXTH CLAIM FOR RELIEF:
UNFAIR COMPETITION THROUGH THE SALE OF
MATERIALLY DIFFERENT PRODUCTS
IN VIOLATION OF THE COMMON LAW OF NEW YORK**

102. Plaintiffs repeat and reallege paragraphs 1 through 101 as if fully set forth herein.

103. Defendant has sold and distributed watches under the Plaintiffs' Marks that materially differ from Plaintiffs' products authorized for sale by Plaintiffs.

104. No Plaintiff has authorized Defendant to sell or to distribute its products, including, but not limited to, the materially different watches sold and distributed by Defendant.

105. The sale of materially different products under Plaintiffs' Marks by Defendant deprives Plaintiffs of the ability to ensure the luxury quality of products bearing Plaintiffs' Marks and to maintain the prestige associated with Plaintiffs' brands.

106. Defendant's sale of materially different products under Plaintiffs' Marks constitutes a false designation of origin and false description or representation that Defendant's sale of such products is authorized by Plaintiffs.

107. Upon information and belief, Defendant's acts of unfair competition described herein are willful and deliberate and undertaken with an intent to reap the benefit of the goodwill and reputation associated with Plaintiffs' Marks.

108. Defendant's actions described herein constitute unfair competition under the common law of the State of New York.

109. The aforesaid conduct of Defendant is causing immediate and irreparable injury to Plaintiffs and to their goodwill and reputation, and will continue to damage Plaintiffs and deceive the public unless enjoined by this Court.

110. Defendant's aforesaid conduct is also deceiving and harming the public, and will continue to deceive and harm the public unless enjoined by this Court.

111. Plaintiffs have no adequate remedy at law.

**SEVENTH CLAIM FOR RELIEF:
TRADEMARK DILUTION THROUGH THE SALE OF
MATERIALLY DIFFERENT PRODUCTS
IN VIOLATION OF N.Y. GEN. BUS. LAW § 360-1**

112. Plaintiffs repeat and reallege paragraphs 1 through 111 as if fully set forth herein.

113. The CARTIER mark is a distinctive trademark.

114. The VAN CLEEF & ARPELS mark is a distinctive trademark.

115. Defendant's commercial use of the CARTIER and VAN CLEEF & ARPELS marks for goods that are materially different from Plaintiffs' authorized products has diluted and is likely to dilute the distinctive quality of the CARTIER and VAN CLEEF & ARPELS marks by lessening the capacity of these marks to exclusively identify and distinguish the respective Plaintiff and its goods and services, and by tarnishing Plaintiffs through association with Defendant's materially different goods. Through Defendant's acts, Plaintiffs' reputation has been removed from their power and control, in that deficiencies in or complaints about Defendant's goods bearing the CARTIER and VAN CLEEF & ARPELS marks will redound to the harm of respective Plaintiff.

116. Upon information and belief, the foregoing acts were done willfully and deliberately and with an intent to dilute the distinctiveness of the CARTIER and VAN CLEEF & ARPELS marks in violation of Section 360-1 of the New York General Business Law.

117. Defendant's conduct described herein is causing immediate and irreparable injury to Plaintiffs and their CARTIER and VAN CLEEF & ARPELS marks, and will continue to damage Plaintiffs unless enjoined by this Court.

118. Defendant's aforesaid conduct is also deceiving and harming the public, and will continue to deceive and harm the public unless enjoined by this Court.

119. Plaintiffs have no adequate remedy at law.

**EIGHTH CLAIM FOR RELIEF:
DECEPTIVE TRADE PRACTICES
IN VIOLATION OF N.Y. GEN. BUS. LAW § 349**

120. Plaintiffs repeat and reallege paragraphs 1 through 119 as if fully set forth herein.

121. By reason of the acts set forth above, Defendant has been and is engaged in deceptive acts or practices in the conduct of a business, trade or commerce, in violation of Section 349 of the New York General Business Law.

122. Upon information and belief, Defendant's conduct is willful.

123. Upon information and belief, by reason of the deception caused by the acts set forth above, the public has been and is being damaged.

124. Defendant's conduct described herein is causing immediate and irreparable injury to Plaintiffs and to their goodwill and reputation, and will continue to damage Plaintiffs unless enjoined by this Court.

125. Plaintiffs have no adequate remedy at law.

WHEREFORE, Plaintiffs demand judgment as follows:

126. That a permanent injunction be issued enjoining Defendant, any of its respective officers, agents, privies, shareholders, principals, directors, licensees, attorneys, servants, employees, affiliates, subsidiaries, successors and assigns, and all those persons in concert or participation with any of them who receive actual notice of the order by personal service or otherwise, from:

- (a) using any false designation of origin or false or misleading representation of fact, or performing any act, which can, or is likely to, lead members of the trade or

- public to believe that Defendant is associated with any of Plaintiffs or that Plaintiffs authorize, license, sponsor or otherwise approve the sale or distribution of CARTIER- or VAN CLEEF & ARPELS-branded products by Defendant;
- (b) using any false or misleading representations of fact, or performing any act, which can, or is likely to, lead members of the trade or public to hold false beliefs concerning the nature, qualities or characteristics of the CARTIER- or VAN CLEEF & ARPELS-branded products advertised, promoted, offered for sale, sold or distributed by Defendant;
 - (c) using any of Plaintiffs' trademarks or trade names, including, but not limited to, those identified in the Complaint, or any simulation, reproduction, copy, colorable imitation or confusingly similar variation of any of Plaintiffs' trademarks or trade names on or in connection with any advertisement, promotion, offering for sale, sale, or distribution of CARTIER- or VAN CLEEF & ARPELS-branded products that differ in any material way from CARTIER- or VAN CLEEF & ARPELS-branded products offered or sold through authorized channels;
 - (d) processing, packaging, importing or transporting any CARTIER- or VAN CLEEF & ARPELS-branded products that differ in any material way from CARTIER- or VAN CLEEF & ARPELS-branded products offered or sold through authorized channels;
 - (e) engaging in any other activity constituting unfair competition with Plaintiffs, or constituting an infringement of any of Plaintiffs' trademarks or trade names or trade dress;

- (f) engaging in any activity that dilutes or tarnishes, or is likely to dilute or tarnish, any of Plaintiffs' trademarks or trade names; or
- (g) assisting, aiding, or abetting any other person or business entity in engaging in or performing any of the activities referred to in subparagraphs (a) through (f) above or taking any action that contributes to any of the activities referred to in subparagraphs (a) through (f) above.

127. That Defendant be directed to take such other action as the Court may deem appropriate to prevent the trade and public from deriving the erroneous impression that any goods advertised, promoted, offered, sold or distributed by Defendant are authorized by Plaintiffs or are identical to goods advertised, promoted, offered, sold or distributed through authorized retailers.

128. That Defendant be ordered to, at its own expense, immediately deliver up for destruction its entire inventory of goods bearing any of Plaintiffs' Marks that differ materially from authorized goods, including, but not limited to, goods that are advertised as "new," when, in fact, they are used.

129. That Plaintiffs be awarded monetary relief, including Defendant's profits; Plaintiffs' actual damages; trebled damages and/or increased profits as provided by 15 U.S.C. § 1117(a); trebled profits or damages and punitive and/or enhanced damages as provided for under applicable law.

130. That Plaintiffs be awarded interest, including pre-judgment interest, on the foregoing sums.

131. That Plaintiffs be awarded their costs in this civil action, including reasonable attorneys' fees and expenses, pursuant to 15 U.S.C. § 1117(a) and other applicable laws.

132. That Plaintiffs be awarded such other and further relief as the Court may deem just and proper.

Dated: November 7, 2012

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

By 

John P. Margiotta

Laura Popp-Rosenberg

Alexander L. Greenberg

866 United Nations Plaza

New York, New York 10017

Tel: (212) 813-5900

Email: jmargiotta@fzlz.com

lpopp-rosenberg@fzlz.com

agreenberg@fzlz.com

Attorneys for Plaintiffs

EXHIBIT A

Generated on 2012-11-09T14:00:54.583-05:00

Generated on: This page was generated by TSDR on 2012-11-09 14:00:54 EST**Mark:** CARTIER**US Serial Number:** 72146163**Application Filing Date:** Jun. 08, 1962**US Registration Number:** 759201**Registration Date:** Oct. 29, 1963**Register:** Principal**Mark Type:** Trademark**Status:** The registration has been renewed.**Status Date:** Sep. 12, 2003

Mark Information

Mark Literal Elements: CARTIER**Standard Character Claim:** No**Mark Drawing Type:** 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)**Acquired Distinctiveness Claim:** In whole

Related Properties Information

Claimed Ownership of US Registrations: [0411975](#)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Watches and Clocks

International Class:	014	U.S Class:	027 - Primary Class
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	1859	Use in Commerce:	1859

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name:	CARTIER INTERNATIONAL A.G.		
	HINTERBERGSTRASSE 22, POSTFACH 61		
Owner Address:	6312 STEINHAUSEN		
	SWITZERLAND		
Legal Entity Type:	CORPORATION	State or Country Where Organized:	SWITZERLAND

Attorney/Correspondence Information

Attorney of Record - None

Correspondent

Correspondent Name/Address: ?

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
-------------	--------------------	--------------------------

Aug. 30, 2010	NOTICE OF SUIT	
Aug. 04, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 16, 2009	NOTICE OF SUIT	
Jan. 27, 2009	CASE FILE IN TICRS	
Oct. 04, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Aug. 30, 2006	REVIEW OF CORRESPONDENCE COMPLETE	67149
Sep. 29, 2003	PAPER RECEIVED	
Sep. 12, 2003	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)	
Sep. 12, 2003	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Jun. 23, 2003	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Jun. 23, 2003	PAPER RECEIVED	
Oct. 25, 1984	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Oct. 29, 1983	REGISTERED AND RENEWED (FIRST RENEWAL - 20 YRS)	
Oct. 11, 1983	REGISTERED AND RENEWED (FIRST RENEWAL - 20 YRS)	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Renewal Date:	Oct. 29, 2003

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Mar. 11, 2009

Assignment Abstract of Title Information

Summary

**Total
Assignments:** 5

Registrant: CARTIER, INC.

Assignment 1 of 5

Conveyance: CERTIFIED COPY OF MERGER FILED IN THE OFFICE OF THE SECRETARY OF STATE OF DELAWARE, SHOWING MERGER OF ASSIGNORS AND CHANGE OF NAME OF THE SURVIVING CORPORATION ON JULY 26, 1976, EFFECTIVE JULY 30, 1976.

Reel/Frame: [0294/0453](#)

Pages: 5

Date Recorded: Sep. 15, 1976

**Supporting
Documents:** No Supporting Documents

Assignor

Name: [CARTIER,
INCORPORATED, -
MERGED INTO-](#)

Execution Date: Aug. 04, 1976

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** NEW YORK

Name: [GHI CORP., -CHANGED
TO-](#)

Execution Date: Not Found

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** DELAWARE

Assignee

Name: [CARTIER, INCORPORATED](#)

Legal Entity Type: UNKNOWN

**State or Country
Where
Organized:** No Place Where Organized
Found

Address: No Assignee Address Found

Correspondent

**Correspondent
Name:** JAMES L. BIKOFF, ESQ.

Correspondent CARTIER, INCORPORATED
653 FIFTH AVENUE

Address: NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0827/0110](#)

Pages: 7

Date Recorded: Oct. 02, 1991

Supporting Documents: No Supporting Documents

Assignor

Name: [CARTIER, INCORPORATED](#)

Execution Date: Apr. 24, 1991

Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Assignee

Name: [CARTIER INTERNATIONAL, INC.](#)

Legal Entity Type: CORPORATION
State or Country Where Organized: DELAWARE

Address: 2 EAST 52ND STREET
NEW YORK, NEW YORK

Correspondent

Correspondent Name: KATHYRN JENNISON SHULTZ

Correspondent Address: ELLSWORTH M. JENNISON
CRYSTAL PLAZA #1-SUITE 704
2001 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: ASSIGNS THE ENTIRE RIGHT, TITLE AND INTEREST; EFFECTIVE JANUARY 1, 1990.

Reel/Frame: [0827/0117](#)

Pages: 7

Date Recorded: Oct. 02, 1991

Supporting Documents: No Supporting Documents

Assignor

Name: [CARTIER INTERNATIONAL, INC.](#) **Execution Date:** Apr. 25, 1991

Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [CARTIER INTERNATIONAL, B.V.](#)

Legal Entity Type: CORPORATION **State or Country Where Organized:** NETHERLANDS

Address: HERENGRACHT 436
AMSTERDAM-C, NETHERLANDS

Correspondent

Correspondent Name: KATHRYN JENNISON SHULTZ

Correspondent Address: ELLSWORTH M. JENNISON
CRYSTAL PLAZA #1-SUITE 704
2001 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

Domestic Representative - Not Found**Assignment 4 of 5**

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3400/0443](#) **Pages:** 23

Date Recorded: Sep. 11, 2006

Supporting Documents: [assignment-tm-3400-0443.pdf](#)

Assignor

Name: [CARTIER INTERNATIONAL B.V.](#) **Execution Date:** Oct. 31, 2005

Legal Entity Type: COMPANY-EQUIVALENT + US CORP. **State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: [CARTIER INTERNATIONAL N.V.](#)

Legal Entity Type: COMPANY - US EQUIR. CORPORATION **State or Country Where Organized:** No Place Where Organized Found

Address: SCHARLOOWEG 33
CURACAO, NETHERLANDS ANTILLES

Correspondent

Correspondent Name: HELEN M. O'SHAUGHNESSY

Correspondent Address: 2 EAST 52 STREET
NEW YORK N.Y 10022

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: CHANGE OF NAME

Reel/Frame: [4252/0184](#)

Pages: 12

Date Recorded: Aug. 02, 2010

Supporting Documents: [assignment-tm-4252-0184.pdf](#)

Assignor

Name: [CARTIER
INTERNATIONAL N.V.](#)

Execution Date: Dec. 14, 2009

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** NETHERLANDS
ANTILLES

Assignee

Name: [CARTIER INTERNATIONAL A.G.](#)

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** SWITZERLAND

Address: HINTERBERGSTRASSE 22, POSTFACH 61
6312 STEINHAUSEN, SWITZERLAND

Correspondent

Correspondent Name: MILTON SPRINGUT

Correspondent Address: 488 MADISON AVENUE
19 FL
NEW YORK, NY 10022

Domestic Representative - Not Found

Generated on 2012-11-09T14:01:15.631-05:00

Generated on: This page was generated by TSDR on 2012-11-09 14:01:15 EST**Mark:** CARTIER**US Serial Number:** 71471859**Application Filing Date:** Jul. 01, 1944**US Registration Number:** 411975**Registration Date:** Feb. 13, 1945**Register:** Principal**Mark Type:** Trademark**Status:** The registration has been renewed.**Status Date:** Jan. 05, 2005

Mark Information

Mark Literal Elements: CARTIER**Standard Character Claim:** No**Mark Drawing Type:** 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Related Properties Information

Publish Previously Registered Mark: Yes**Previously Registered Mark Publication Date:** Apr. 06, 1965

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit

of incontestability; and

- Asterisks *..* identify additional (new) wording in the goods/services.

For: Watches and Clocks and Wrist Watches with Wrist Straps and Bracelets Attached for Securing the Same on the Wrist of the Wearer, and Traveling Clocks and Watches with Covers of Leather, Fabric and the Like for Protecting Them While Traveling

International Class: 014 **U.S Class:** 027 - Primary Class

Class Status: ACTIVE

Basis: 1(a)

First Use: 1859 **Use in Commerce:** 1859

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: CARTIER INTERNATIONAL A.G.

Owner Address: HINTERBERGSTRASSE 22, POSTFACH 61
6312 STEINHAUSEN
SWITZERLAND

Legal Entity Type: CORPORATION **State or Country Where Organized:** SWITZERLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lawrence E. Apolzon

Correspondent

Lawrence E. Apolzon
 Fross Zelnick Lehrman & Zissu, P.C.
Correspondent Name/Address: 866 United Nations Plaza
 NEW YORK, NEW YORK 10017
 UNITED STATES

Domestic Representative - Not Found

Prosecution History

Date	Description	Proceeding Number
Jul. 11, 2011	AMENDMENT UNDER SECTION 7 - ISSUED	64591
May 20, 2011	TEAS SECTION 7 REQUEST RECEIVED	
Aug. 04, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 16, 2009	NOTICE OF SUIT	
Jan. 27, 2009	CASE FILE IN TICRS	
Oct. 04, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY	
Jan. 05, 2005	REGISTERED AND RENEWED (THIRD RENEWAL - 10 YRS)	
Jan. 05, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Nov. 17, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Nov. 17, 2004	PAPER RECEIVED	
Sep. 29, 2003	PAPER RECEIVED	
Feb. 13, 1985	REGISTERED AND RENEWED (SECOND RENEWAL - 20 YRS)	
Aug. 20, 1984	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use: Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Feb. 13, 2005

**Change in
Registration:** Yes

**Amendment to a
Registration/Renewal
Certificate:** The drawing is amended to appear as follows: PUBLISH CUT

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: Not Found

Date in Location: Sep. 30, 2011

Assignment Abstract of Title Information

Summary

**Total
Assignments:** 5

Registrant: Cartier, Inc.

Assignment 1 of 5

Conveyance:

CERTIFIED COPY OF MERGER FILED IN THE OFFICE OF THE SECRETARY OF STATE OF DELAWARE, SHOWING MERGER OF ASSIGNORS AND CHANGE OF NAME OF THE SURVIVING CORPORATION ON JULY 26, 1976, EFFECTIVE JULY 30, 1976.

Reel/Frame: [0294/0453](#)

Pages: 5

Date Recorded: Sep. 15, 1976

**Supporting
Documents:** No Supporting Documents

Assignor

Name: [CARTIER,
INCORPORATED, -
MERGED INTO-](#)

Execution Date: Aug. 04, 1976

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** NEW YORK

Name: [GHI CORP., -CHANGED
TO-](#)

Execution Date: Not Found

State or Country

Legal Entity Type: CORPORATION

**Where
Organized:** DELAWARE

Assignee

Name: [CARTIER, INCORPORATED](#)

Legal Entity Type: UNKNOWN

**State or Country
Where
Organized:** No Place Where Organized
Found

Address: No Assignee Address Found

Correspondent

**Correspondent
Name:** JAMES L. BIKOFF, ESQ.

**Correspondent
Address:** CARTIER, INCORPORATED
653 FIFTH AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0827/0110](#)

Pages: 7

Date Recorded: Oct. 02, 1991

**Supporting
Documents:** No Supporting Documents

Assignor

Name: [CARTIER,
INCORPORATED](#)

Execution Date: Apr. 24, 1991

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** DELAWARE

Assignee

Name: [CARTIER INTERNATIONAL, INC.](#)

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** DELAWARE

Address: 2 EAST 52ND STREET
NEW YORK, NEW YORK

Correspondent

**Correspondent
Name:** KATHYRN JENNISON SHULTZ

Correspondent Address: ELLSWORTH M. JENNISON
CRYSTAL PLAZA #1-SUITE 704
2001 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: ASSIGNS THE ENTIRE RIGHT, TITLE AND INTEREST; EFFECTIVE JANUARY 1, 1990.

Reel/Frame: [0827/0117](#) **Pages:** 7

Date Recorded: Oct. 02, 1991

Supporting Documents: No Supporting Documents

Assignor

Name: [CARTIER INTERNATIONAL, INC.](#) **Execution Date:** Apr. 25, 1991

Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: [CARTIER INTERNATIONAL, B.V.](#)

Legal Entity Type: CORPORATION **State or Country Where Organized:** NETHERLANDS

Address: HERENGRACHT 436
AMSTERDAM-C, NETHERLANDS

Correspondent

Correspondent Name: KATHRYN JENNISON SHULTZ

Correspondent Address: ELLSWORTH M. JENNISON
CRYSTAL PLAZA #1-SUITE 704
2001 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [3400/0443](#) **Pages:** 23

Date Recorded: Sep. 11, 2006

Supporting Documents: [assignment-tm-3400-0443.pdf](#)

Assignor

Name: [CARTIER INTERNATIONAL B.V.](#) **Execution Date:** Oct. 31, 2005

Legal Entity Type: COMPANY-EQUIVALENT + US CORP. **State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: [CARTIER INTERNATIONAL N.V.](#)

Legal Entity Type: COMPANY - US EQUIR. CORPORATION **State or Country Where Organized:** No Place Where Organized Found

Address: SCHARLOOWEG 33
CURACAO, NETHERLANDS ANTILLES

Correspondent

Correspondent Name: HELEN M. O'SHAUGHNESSY

Correspondent Address: 2 EAST 52 STREET
NEW YORK N.Y 10022

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: CHANGE OF NAME

Reel/Frame: [4252/0184](#) **Pages:** 12

Date Recorded: Aug. 02, 2010

Supporting Documents: [assignment-tm-4252-0184.pdf](#)

Assignor

Name: [CARTIER INTERNATIONAL N.V.](#) **Execution Date:** Dec. 14, 2009

Legal Entity Type: CORPORATION **State or Country Where Organized:** NETHERLANDS ANTILLES

Assignee

Name: [CARTIER INTERNATIONAL A.G.](#)

Legal Entity Type: CORPORATION **State or Country Where Organized:** SWITZERLAND

Address: HINTERBERGSTRASSE 22, POSTFACH 61
6312 STEINHAUSEN, SWITZERLAND

Correspondent

**Correspondent
Name:** MILTON SPRINGUT

**Correspondent
Address:** 488 MADISON AVENUE
19 FL
NEW YORK, NY 10022

Domestic Representative - Not Found

Generated on 2012-11-09T14:01:39.463-05:00

Generated on: This page was generated by TSDR on 2012-11-09 14:01:39 EST**Mark:** CARTIER**US Serial Number:** 85345798**Application Filing Date:** Jun. 14, 2011**US Registration Number:** 4178047**Registration Date:** Jul. 24, 2012**Register:** Principal**Mark Type:** Trademark**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.**Status Date:** Jul. 24, 2012**Publication Date:** May 08, 2012

Mark Information

Mark Literal Elements: CARTIER**Standard Character Claim:** No**Mark Drawing Type:** 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM**Description of Mark:** The mark consists of the stylized word "CARTIER".**Color(s) Claimed:** Color is not claimed as a feature of the mark.**Acquired Distinctiveness Claim:** In whole

Related Properties Information

Claimed Ownership of US Registrations: [0411239](#), [0411240](#), [0411975](#), and others

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Jewelry and watches

International Class: 014 - Primary Class

U.S Class: 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1999

Use in Commerce: 1999

Basis Information (Case Level)

Filed Use: Yes	Currently Use: Yes	Amended Use: No
Filed ITU: No	Currently ITU: No	Amended ITU: No
Filed 44D: No	Currently 44D: No	Amended 44D: No
Filed 44E: No	Currently 44E: No	Amended 44E: No
Filed 66A: No	Currently 66A: No	
Filed No Basis: No	Currently No Basis: No	

Current Owner(s) Information

Owner Name: Cartier International A.G.

Owner Address: Hinterbergstrasse 22, Postfach 61
6312 Steinhausen
SWITZERLAND

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Attorney/Correspondence Information

Attorney of Record**Attorney Name:** Lawrence E. Apolzon**Docket Number:** CART 1102760**Correspondent****Correspondent
Name/Address:**

LAWRENCE E. APOLZON
 FROSS ZELNICK LEHRMAN & ZISSU, P.C.
 866 UNITED NATIONS PLZ
 NEW YORK, NEW YORK 10017-1822
 UNITED STATES

Phone: 212-813-5900**Fax:** 212-813-5901**Domestic Representative****Domestic
Representative
Name:**

Fross Zelnick Lehrman &
 Zissu, P.C.

Phone: 212-813-5900**Fax:** 212-813-5901

Prosecution History

Date	Description	Proceeding Number
Jul. 24, 2012	REGISTERED-PRINCIPAL REGISTER	
May 08, 2012	PUBLISHED FOR OPPOSITION	
Apr. 18, 2012	NOTICE OF PUBLICATION	
Mar. 30, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	70138
Mar. 30, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 28, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	70138
Mar. 28, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	70138
Mar. 20, 2012	ASSIGNED TO LIE	70138
Mar. 06, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 03, 2011	NON-FINAL ACTION MAILED	
Oct. 03, 2011	NON-FINAL ACTION WRITTEN	81853
Sep. 26, 2011	ASSIGNED TO EXAMINER	81853
Jun. 18, 2011	NOTICE OF PSEUDO MARK MAILED	
Jun. 17, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 17, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: PUBLICATION AND ISSUE
SECTION **Date in Location:** Jul. 24, 2012

Generated on 2012-11-09T14:02:04.78-05:00

Generated on: This page was generated by TSDR on 2012-11-09 14:02:04 EST**Mark:** CARTIER**CARTIER****US Serial
Number:** 85345811**Application
Filing Date:** Jun. 14, 2011**US Registration
Number:** 4178048**Registration
Date:** Jul. 24, 2012**Register:** Principal**Mark Type:** Trademark**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.**Status Date:** Jul. 24, 2012**Publication
Date:** May 08, 2012

Mark Information

**Mark Literal
Elements:** CARTIER**Standard Character
Claim:** No**Mark Drawing Type:** 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/
NUMBER(S) INSTYLIZED FORM**Description of Mark:** The mark consists of the stylized word "CARTIER".**Color(s) Claimed:** Color is not claimed as a feature of the mark.**Acquired
Distinctiveness
Claim:** In whole

Related Properties Information

**Claimed Ownership
of US Registrations:** [0411240,0411975,0759201,0759202](#)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Watches

International Class: 014 - Primary Class **U.S Class:** 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: 1909 **Use in Commerce:** 1909

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: Cartier International A.G.

Hinterbergstrasse 22, Postfach 61

Owner Address: 6312 Steinhausen

SWITZERLAND

Legal Entity Type:	CORPORATION	State or Country Where Organized:	SWITZERLAND
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Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lawrence E. Apolzon**Docket Number:** CART 1105148**Correspondent****Correspondent
Name/Address:**

LAWRENCE E. APOLZON
 FROSS ZELNICK LEHRMAN & ZISSU, P.C.
 866 UNITED NATIONS PLZ
 NEW YORK, NEW YORK 10017-1822
 UNITED STATES

Phone: 212-813-5900**Fax:** 212-813-5901**Domestic Representative****Domestic
Representative
Name:**

Fross Zelnick Lehrman &
 Zissu, P.C.

Phone: 212-813-5900**Fax:** 212-813-5901

Prosecution History

Date	Description	Proceeding Number
Jul. 24, 2012	REGISTERED-PRINCIPAL REGISTER	
May 08, 2012	PUBLISHED FOR OPPOSITION	
Apr. 18, 2012	NOTICE OF PUBLICATION	
Mar. 31, 2012	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Mar. 28, 2012	APPROVED FOR PUB - PRINCIPAL REGISTER	
Mar. 27, 2012	TEAS/EMAIL CORRESPONDENCE ENTERED	74221
Mar. 27, 2012	CORRESPONDENCE RECEIVED IN LAW OFFICE	74221
Mar. 21, 2012	ASSIGNED TO LIE	74221
Mar. 06, 2012	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Oct. 03, 2011	NON-FINAL ACTION MAILED	
Oct. 03, 2011	NON-FINAL ACTION WRITTEN	81853
Sep. 26, 2011	ASSIGNED TO EXAMINER	81853
Jun. 17, 2011	NEW APPLICATION OFFICE SUPPLIED DATA ENTERED IN TRAM	
Jun. 17, 2011	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location:	PUBLICATION AND ISSUE SECTION	Date in Location:	Jul. 24, 2012
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EXHIBIT B

Generated on 2012-11-09T14:02:41.616-05:00

Generated on: This page was generated by TSDR on 2012-11-09 14:02:41 EST**Mark:** TANK**US Serial Number:** 73009465**Application Filing Date:** Dec. 26, 1973**US Registration Number:** 1006321**Registration Date:** Mar. 11, 1975**Register:** Principal**Mark Type:** Trademark**Status:** The registration has been renewed.**Status Date:** Jan. 26, 2005

Mark Information

Mark Literal Elements: TANK**Standard Character Claim:** No**Mark Drawing Type:** 1 - TYPESET WORD(S) /LETTER(S) /NUMBER(S)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: WATCHES**International Class:** 014 - Primary Class**U.S Class:** 027**Class Status:** ACTIVE**Basis:** 1(a)**First Use:** 1918**Use in Commerce:** 1918

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: CARTIER INTERNATIONAL A.G.

Owner Address: HINTERBERGSTRASSE 22, POSTFACH 61
6312 STEINHAUSEN
SWITZERLAND

Legal Entity Type: CORPORATION **State or Country Where Organized:** SWITZERLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: HELEN M. O'SHAUGHNESSY

Correspondent

Correspondent Name/Address: HELEN M OSHAUGHNESSY
2 E 52ND ST
NEW YORK, NEW YORK 10022
UNITED STATES

Domestic Representative

Domestic Representative Name: HELEN M. O'SHAUGHNESSY

Prosecution History

Date	Description	Proceeding Number
Aug. 04, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	

Oct. 25, 2007	CASE FILE IN TICS
Oct. 04, 2006	ASSIGNMENT OF OWNERSHIP NOT UPDATED AUTOMATICALLY
Jan. 26, 2005	REGISTERED AND RENEWED (SECOND RENEWAL - 10 YRS)
Jan. 26, 2005	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED
Dec. 06, 2004	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED
Dec. 06, 2004	PAPER RECEIVED
Sep. 29, 2003	PAPER RECEIVED
Jul. 06, 1995	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)
Apr. 20, 1995	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8
Apr. 20, 1995	REGISTERED - SEC. 9 FILED/CHECK RECORD FOR SEC. 8
Apr. 07, 1992	REGISTERED - SEC. 15 ACKNOWLEDGED
Dec. 13, 1991	REGISTERED - SEC. 15 AFFIDAVIT FILED
Jul. 27, 1981	REGISTERED - SEC. 8 (6-YR) ACCEPTED

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Renewal Date:	Mar. 11, 2005

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: SCANNING ON DEMAND **Date in Location:** Oct. 25, 2007

Assignment Abstract of Title Information

Summary**Total
Assignments:** 5**Registrant:** CARTIER,
INCORPORATED**Assignment 1 of 5**

Conveyance: CERTIFIED COPY OF MERGER FILED IN THE OFFICE OF THE
SECRETARY OF STATE OF DELAWARE, SHOWING MERGER OF
ASSIGNORS AND CHANGE OF NAME OF THE SURVIVING
CORPORATION ON JULY 26, 1976, EFFECTIVE JULY 30, 1976.**Reel/Frame:** [0294/0453](#)**Pages:** 5**Date Recorded:** Sep. 15, 1976**Supporting
Documents:** No Supporting Documents**Assignor****Name:** [CARTIER,
INCORPORATED, -
MERGED INTO-](#)**Execution Date:** Aug. 04, 1976**Legal Entity Type:** CORPORATION**State or Country
Where
Organized:** NEW YORK**Name:** [GHI CORP., -CHANGED
TO-](#)**Execution Date:** Not Found**Legal Entity Type:** CORPORATION**State or Country
Where
Organized:** DELAWARE**Assignee****Name:** [CARTIER, INCORPORATED](#)**Legal Entity Type:** UNKNOWN**State or Country
Where
Organized:** No Place Where Organized
Found**Address:** No Assignee Address Found**Correspondent****Correspondent
Name:** JAMES L. BIKOFF, ESQ.**Correspondent
Address:** CARTIER, INCORPORATED
653 FIFTH AVENUE
NEW YORK, NY 10022

Domestic Representative - Not Found

Assignment 2 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST AND THE GOODWILL

Reel/Frame: [0827/0110](#)

Pages: 7

Date Recorded: Oct. 02, 1991

Supporting Documents: No Supporting Documents

Assignor

Name: [CARTIER, INCORPORATED](#)

Execution Date: Apr. 24, 1991

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Assignee

Name: [CARTIER INTERNATIONAL, INC.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: DELAWARE

Address: 2 EAST 52ND STREET
NEW YORK, NEW YORK

Correspondent

Correspondent Name: KATHYRN JENNISON SHULTZ

Correspondent Address: ELLSWORTH M. JENNISON
CRYSTAL PLAZA #1-SUITE 704
2001 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

Domestic Representative - Not Found

Assignment 3 of 5

Conveyance: ASSIGNS THE ENTIRE RIGHT, TITLE AND INTEREST; EFFECTIVE JANUARY 1, 1990.

Reel/Frame: [0827/0117](#)

Pages: 7

Date Recorded: Oct. 02, 1991

Supporting Documents: No Supporting Documents

Assignor

[CARTIER](#)

Name: INTERNATIONAL, INC. **Execution Date:** Apr. 25, 1991

Legal Entity Type: CORPORATION **State or Country Where Organized:** DELAWARE

Assignee

Name: CARTIER INTERNATIONAL, B.V.

Legal Entity Type: CORPORATION **State or Country Where Organized:** NETHERLANDS

Address: HERENGRACHT 436
AMSTERDAM-C, NETHERLANDS

Correspondent

Correspondent Name: KATHRYN JENNISON SHULTZ

Correspondent Address: ELLSWORTH M. JENNISON
CRYSTAL PLAZA #1-SUITE 704
2001 JEFFERSON DAVIS HIGHWAY
ARLINGTON, VA 22202

Domestic Representative - Not Found

Assignment 4 of 5

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: 3400/0443 **Pages:** 23

Date Recorded: Sep. 11, 2006

Supporting Documents: assignment-tm-3400-0443.pdf

Assignor

Name: CARTIER INTERNATIONAL B.V. **Execution Date:** Oct. 31, 2005

Legal Entity Type: COMPANY-EQUIVALENT + US CORP. **State or Country Where Organized:** No Place Where Organized Found

Assignee

Name: CARTIER INTERNATIONAL N.V.

Legal Entity Type: COMPANY - US EQUIR. CORPORATION **State or Country Where Organized:** No Place Where Organized Found

Address: SCHARLOOWEG 33
CURACAO, NETHERLANDS ANTILLES

Correspondent

Correspondent Name: HELEN M. O'SHAUGHNESSY

Correspondent Address: 2 EAST 52 STREET
NEW YORK N.Y 10022

Domestic Representative - Not Found

Assignment 5 of 5

Conveyance: CHANGE OF NAME

Reel/Frame: [4252/0184](#)

Pages: 12

Date Recorded: Aug. 02, 2010

Supporting Documents: [assignment-tm-4252-0184.pdf](#)

Assignor

Name: [CARTIER INTERNATIONAL N.V.](#)

Execution Date: Dec. 14, 2009

Legal Entity Type: CORPORATION

State or Country Where Organized: NETHERLANDS
ANTILLES

Assignee

Name: [CARTIER INTERNATIONAL A.G.](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Address: HINTERBERGSTRASSE 22, POSTFACH 61
6312 STEINHAUSEN, SWITZERLAND

Correspondent

Correspondent Name: MILTON SPRINGUT

Correspondent Address: 488 MADISON AVENUE
19 FL
NEW YORK, NY 10022

Domestic Representative - Not Found

EXHIBIT C

Generated on 2012-11-09T14:03:09.827-05:00

Generated on: This page was generated by TSDR on 2012-11-09 14:03:09 EST**Mark:****US Serial Number:** 78853203**Application Filing Date:** Apr. 04, 2006**US Registration Number:** 3282847**Registration Date:** Aug. 21, 2007**Register:** Principal**Mark Type:** Trademark**Status:** Registered. The registration date is used to determine when post-registration maintenance documents are due.**Status Date:** Aug. 21, 2007**Publication Date:** Feb. 20, 2007

Mark Information

Mark Literal Elements: None**Standard Character Claim:** No**Mark Drawing Type:** 2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)**Description of Mark:**

The mark consists of a configuration of a watch case with a square face, the case framing the watch consists of thin horizontal brancards and thick concave vertical brancards, both formed of the case metal at each corner the vertical brancards are elongated beyond the bottom and top of the watch case, and end in inwardly angled corners; the vertical brancards are beveled to slope downward laterally from the inside to the outside (they are sometimes decorated with jewels); the elongated brancard corners frame the end links in the bracelet chain or the end of the watch strap; Art Deco Roman numerals

incline conform to the angle direction of the watch hands at such time as the hands are juxtaposed to that numeral; an octagonal winding crown with cabochon; and a chapter ring/minute guide on the watch face located between the center of the dial and the numerals.

Disclaimer: "the numbers 1-12 or the watch hands"

**Acquired
Distinctiveness
Claim:** In whole

**Design Search
Code(s):** 17.01.01 - Pocket watches;Wristwatches;Watches;Stop watches

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Horologic and chronometric instruments, namely, watches

International Class: 014 - Primary Class **U.S Class:** 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 15, 1996 **Use in Commerce:** Jun. 15, 1996

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: CARTIER INTERNATIONAL A.G.
 HINTERBERGSTRASSE 22, POSTFACH 61
Owner Address: 6312 STEINHAUSEN
 SWITZERLAND

Legal Entity Type: CORPORATION **State or Country Where Organized:** SWITZERLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Laura E. Smith

Correspondent

Correspondent Name/Address: LAURA E SMITH
 KALOW & SPRINGUT LLP
 488 MADISON AVE FL 19
 NEW YORK, NEW YORK 10022-5706
 UNITED STATES

Phone: 212-813-1600 **Fax:** 212-813-9600

Domestic Representative

Domestic Representative Name: Laura E. Smith **Phone:** 212-813-1600

Fax: 212-813-9600

Prosecution History

Date	Description	Proceeding Number
Aug. 04, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 21, 2007	REGISTERED-PRINCIPAL REGISTER	
Jul. 06, 2007	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Feb. 20, 2007	EXTENSION OF TIME TO OPPOSE RECEIVED	
Feb. 20, 2007	PUBLISHED FOR OPPOSITION	
Jan. 31, 2007	NOTICE OF PUBLICATION	

Dec. 29, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Dec. 19, 2006	ASSIGNED TO LIE	74221
Dec. 04, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 19, 2006	AMENDMENT FROM APPLICANT ENTERED	77075
Sep. 22, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	77075
Sep. 22, 2006	PAPER RECEIVED	
Aug. 17, 2006	NON-FINAL ACTION MAILED	
Aug. 16, 2006	NON-FINAL ACTION WRITTEN	78067
Aug. 04, 2006	ASSIGNED TO EXAMINER	78067
Apr. 20, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Apr. 05, 2006	PAPER RECEIVED	
Apr. 07, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location:	PUBLICATION AND ISSUE SECTION	Date in Location: Aug. 21, 2007
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Assignment Abstract of Title Information

Summary

Total Assignments:	1	Registrant:	Cartier International N.V.
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Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [4252/0184](#)

Pages: 12

Date Recorded: Aug. 02, 2010

Supporting Documents: [assignment-tm-4252-0184.pdf](#)

Assignor

Name: [CARTIER INTERNATIONAL N.V.](#)

Execution Date: Dec. 14, 2009

Legal Entity Type:	CORPORATION	State or Country Where Organized:	NETHERLANDS ANTILLES
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Assignee

Name: [CARTIER INTERNATIONAL A.G.](#)

Legal Entity Type:	CORPORATION	State or Country Where Organized:	SWITZERLAND
---------------------------	-------------	--	-------------

Address: HINTERBERGSTRASSE 22, POSTFACH 61
6312 STEINHAUSEN, SWITZERLAND

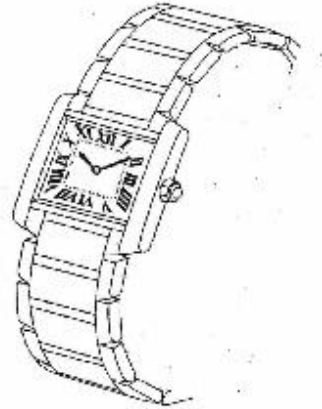
Correspondent

**Correspondent
Name:** MILTON SPRINGUT

**Correspondent
Address:** 488 MADISON AVENUE
19 FL
NEW YORK, NY 10022

Domestic Representative - Not Found

Generated on 2012-11-09T14:03:30.189-05:00

Generated on: This page was generated by TSDR on 2012-11-09 14:03:30 EST**Mark:**

US Serial Number:	78853190	Application Filing Date:	Apr. 04, 2006
US Registration Number:	3282846	Registration Date:	Aug. 21, 2007
Register:	Principal		
Mark Type:	Trademark		
Status:	Registered. The registration date is used to determine when post-registration maintenance documents are due.		
Status Date:	Aug. 21, 2007		
Publication Date:	Feb. 20, 2007		

Mark Information

Mark Literal Elements:	None
Standard Character Claim:	No
Mark Drawing Type:	2 - AN ILLUSTRATION DRAWING WITHOUT ANY WORDS(S)/ LETTER(S)/NUMBER(S)
Description of Mark:	The mark consists of a configuration of a watch case with a square face, the case framing the watch consists of thin horizontal brancards and thick concave vertical brancards, both formed of the case metal at each corner the vertical brancards are elongated beyond the bottom and top of the watch case, and end in inwardly angled corners; the vertical brancards are beveled to slope downward laterally from the inside to the outside (they are sometimes decorated with jewels); the elongated brancard corners frame the end links in the bracelet chain or the end of the watch strap; Art Deco Roman numerals

incline conform to the angle direction of the watch hands at such time as the hands are juxtaposed to that numeral; an octagonal winding crown with cabochon; and a chapter ring/minute guide on the watch face located between the center of the dial and the numerals.

Disclaimer: the representation of the numbers 1-12 or the watch hands

**Acquired
Distinctiveness
Claim:** In whole

**Design Search
Code(s):** 17.01.01 - Pocket watches;Wristwatches;Watches;Stop watches

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: Horologic and chronometric instruments, namely, watches

International Class: 014 - Primary Class **U.S Class:** 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Jun. 15, 1996 **Use in Commerce:** Jun. 15, 1996

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: CARTIER INTERNATIONAL A.G.
HINTERBERGSTRASSE 22, POSTFACH 61
Owner Address: 6312 STEINHAUSEN
SWITZERLAND

Legal Entity Type: CORPORATION **State or Country Where Organized:** SWITZERLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Laura E. Smith

Correspondent

Correspondent Name/Address: LAURA E SMITH
KALOW & SPRINGUT LLP
488 MADISON AVE FL 19
NEW YORK, NEW YORK 10022-5706
UNITED STATES

Phone: 212-813-1600 **Fax:** 212-813-9600

Domestic Representative

Domestic Representative Name: Laura E. Smith **Phone:** 212-813-1600

Fax: 212-813-9600

Prosecution History

Date	Description	Proceeding Number
Aug. 04, 2010	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Aug. 21, 2007	REGISTERED-PRINCIPAL REGISTER	
Jul. 06, 2007	EXTENSION OF TIME TO OPPOSE PROCESS - TERMINATED	
Feb. 20, 2007	EXTENSION OF TIME TO OPPOSE RECEIVED	
Feb. 20, 2007	PUBLISHED FOR OPPOSITION	
Jan. 31, 2007	NOTICE OF PUBLICATION	

Dec. 29, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	74221
Dec. 19, 2006	ASSIGNED TO LIE	74221
Dec. 04, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 26, 2006	AMENDMENT FROM APPLICANT ENTERED	77978
Sep. 22, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	77978
Sep. 22, 2006	PAPER RECEIVED	
Aug. 17, 2006	NON-FINAL ACTION MAILED	
Aug. 16, 2006	NON-FINAL ACTION WRITTEN	78067
Aug. 04, 2006	ASSIGNED TO EXAMINER	78067
Apr. 05, 2006	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	67215
Apr. 20, 2006	NOTICE OF DESIGN SEARCH CODE MAILED	
Apr. 05, 2006	PAPER RECEIVED	
Apr. 07, 2006	NEW APPLICATION ENTERED IN TRAM	

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location:	PUBLICATION AND ISSUE SECTION	Date in Location: Aug. 21, 2007
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Assignment Abstract of Title Information

Summary

Total Assignments:	1	Registrant:	Cartier International N.V.
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Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [4252/0184](#)

Pages: 12

Date Recorded: Aug. 02, 2010

Supporting Documents: [assignment-tm-4252-0184.pdf](#)

Assignor

Name: [CARTIER
INTERNATIONAL N.V.](#)

Execution Date: Dec. 14, 2009

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** NETHERLANDS
ANTILLES

Assignee

Name: [CARTIER INTERNATIONAL A.G.](#)

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** SWITZERLAND

Address: HINTERBERGSTRASSE 22, POSTFACH 61
6312 STEINHAUSEN, SWITZERLAND

Correspondent

**Correspondent
Name:** MILTON SPRINGUT

**Correspondent
Address:** 488 MADISON AVENUE
19 FL
NEW YORK, NY 10022

Domestic Representative - Not Found

EXHIBIT D

Generated on 2012-11-09T14:06:23.393-05:00

Generated on: This page was generated by TSDR on 2012-11-09 14:06:23 EST**Mark:** VAN CLEEF & ARPELS*Van Cleef & Arpels***US Serial Number:** 73587444**Application Filing Date:** Mar. 10, 1986**US Registration Number:** 1415794**Registration Date:** Nov. 04, 1986**Register:** Principal**Mark Type:** Trademark**Status:** The registration has been renewed.**Status Date:** Jan. 06, 2007**Publication Date:** Aug. 12, 1986

Mark Information

Mark Literal Elements: VAN CLEEF & ARPELS**Standard Character Claim:** No**Mark Drawing Type:** 5 - AN ILLUSTRATION DRAWING WITH WORD(S) /LETTER(S)/ NUMBER(S) INSTYLIZED FORM

Related Properties Information

Claimed Ownership of US Registrations: [0971523](#)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: JEWELRY AND WATCHES
International Class: 014 - Primary Class **U.S Class:** 027, 028
Class Status: ACTIVE
Basis: 1(a)
First Use: Mar. 1939 **Use in Commerce:** Mar. 1939

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: VAN CLEEF & ARPELS SA
 8 ROUTE DE CHANDOLAN
Owner Address: 1752 VILLARS-SUR-GLANE
 SWITZERLAND

Legal Entity Type: CORPORATION **State or Country Where Organized:** SWITZERLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: LAWRENCE ELI APOLZON

Correspondent

Correspondent Name/Address: LAWRENCE ELI APOLZON
 FROSS ZELNICK LEHRMAN & ZISSU PC
 866 UNITED NATIONS PLZ 6TH FL
 NEW YORK, NEW YORK 10017
 UNITED STATES

Phone: 212-813-5900

Fax: 212-813-5901

Domestic Representative**Domestic
Representative
Name:**

FROSS ZELNICK LEHRMAN & ZISSU, P.C.

Prosecution History

Date	Description	Proceeding Number
Mar. 21, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 06, 2007	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	75461
Jan. 06, 2007	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	
Dec. 21, 2006	ASSIGNED TO PARALEGAL	75461
Oct. 20, 2006	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	
Oct. 20, 2006	PAPER RECEIVED	
Sep. 26, 2006	CASE FILE IN TICRS	
May 11, 2006	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Mar. 31, 1992	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	
Dec. 13, 1991	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	
Nov. 04, 1986	REGISTERED-PRINCIPAL REGISTER	
Aug. 12, 1986	PUBLISHED FOR OPPOSITION	
Jul. 13, 1986	NOTICE OF PUBLICATION	
Jun. 05, 1986	APPROVED FOR PUB - PRINCIPAL REGISTER	
May 28, 1986	EXAMINER'S AMENDMENT MAILED	
May 07, 1986	ASSIGNED TO EXAMINER	65177

Maintenance Filings or Post Registration Information

**Affidavit of
Continued Use:** Section 8 - Accepted

Affidavit of Incontestability: Section 15 - Accepted

Renewal Date: Nov. 04, 2006

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Jan. 06, 2007

Assignment Abstract of Title Information

Summary

Total Assignments:	3	Registrant:	VAN CLEEF & ARPELS, INC.
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Assignment 1 of 3

Conveyance: ASSIGNS THE ENTIRE INTEREST

Reel/Frame: [2213/0242](#)

Pages: 72

Date Recorded: Dec. 22, 2000

Supporting Documents: [assignment-tm-2213-0242.pdf](#)

Assignor

Name: [VAN CLEEF & ARPELS, INC.](#)

Execution Date: Aug. 01, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Assignee

Name: [VAN CLEEF & ARPELS LOGISTICS SA](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Address: ROUTE DE CHAMDOLAN 8
VILLARDS-SUR-GLANE, SWITZERLAND CH-1752

Correspondent

Correspondent Name: GOTTLIEB, RACKMAN & REISMAN, P.C.

Correspondent Address: GEORGE GOTTLIEB, ESQ.
270 MADISON AVENUE
NEW YORK, NY 10016-0601

Domestic Representative - Not Found

Assignment 2 of 3

Conveyance: CORRECTIVE ASSIGNMENT TO CORRECT THE ASSIGNEE ADDRESS AND DOMESTIC REPRESENTATIVE PREVIOUSLY RECORDED ON REEL 002213, FRAME 0242.

Reel/Frame: [2312/0639](#)

Pages: 78

Date Recorded: Jun. 06, 2001

Supporting Documents: [assignment-tm-2312-0639.pdf](#)

Assignor

Name: [VAN CLEEP & ARPELS, INC.](#)

Execution Date: Aug. 01, 2000

Legal Entity Type: CORPORATION

State or Country Where Organized: NEW YORK

Assignee

Name: [VAN CLEEF & ARPELS LOGISTICS SA](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Address: 8, ROUTE DE CHANDOLAN
1752 VILLARS-SUR-GLANE, SWITZERLAND

Correspondent

Correspondent Name: GOTTLIEB RACKMAN & REISMAN P.C.

Correspondent Address: GEORGE GOTTLIEB, ESQ.
270 MADISON AVENUE
NEW YORK, NEW YORK 10016-0601

Domestic Representative - Not Found

Assignment 3 of 3

Conveyance: CHANGE OF NAME

Reel/Frame: [3503/0066](#)

Pages: 3

Date Recorded: Mar. 19, 2007

Supporting Documents: [assignment-tm-3503-0066.pdf](#)

Documents: _____

Assignor

Name: [VAN CLEEF & ARPELS
LOGISTICS S.A.](#)

Execution Date: Nov. 23, 2006

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** SWITZERLAND

Assignee

Name: [VAN CLEEF & ARPELS SA](#)

Legal Entity Type: CORPORATION

**State or Country
Where
Organized:** SWITZERLAND

Address: 8 ROUTE DE CHANDOLAN
1752 VILLARS-SUR-GLANE, SWITZERLAND

Correspondent

**Correspondent
Name:** LAWRENCE ELI APOLZON

**Correspondent
Address:** FROSS ZELNICK LEHRMAN & ZISSU, P.C.
866 UNITED NATIONS PLAZA
NEW YORK, NY 10017

Domestic Representative - Not Found

Generated on 2012-11-09T14:06:42.125-05:00

Generated on: This page was generated by TSDR on 2012-11-09 14:06:42 EST**Mark:** VAN CLEEF & ARPELS**VAN CLEEF & ARPELS**

US Serial Number:	78367577	Application Filing Date:	Feb. 13, 2004
US Registration Number:	2936247	Registration Date:	Mar. 29, 2005
Register:	Principal		
Mark Type:	Trademark, Service Mark		
Status:	A Sections 8 and 15 combined declaration has been accepted and acknowledged.		
Status Date:	Mar. 16, 2011		
Publication Date:	Jan. 04, 2005		

Mark Information

Mark Literal Elements:	VAN CLEEF & ARPELS
Standard Character Claim:	Yes. The mark consists of standard characters without claim to any particular font style, size, or color.
Mark Drawing Type:	4 - STANDARD CHARACTER MARK

Related Properties Information

Claimed Ownership of US Registrations: [0971523](#), [1415794](#), [2114588](#), and others

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((.)) identify any goods/services not claimed in a Section 15 affidavit

of incontestability; and

- Asterisks *..* identify additional (new) wording in the goods/services.

For: items made of precious metal, namely, rings, bracelets, earrings, necklaces, pendants, charms, brooches, clips, hairclips, jewelry boxes, jewelry cases, [tie clips, cufflinks, shirt studs,] watch bracelets and buckles; jewelry, watches and clocks

International Class: 014 - Primary Class **U.S Class:** 002, 027, 028, 050

Class Status: ACTIVE

Basis: 1(a)

First Use: Mar. 1939 **Use in Commerce:** Mar. 1939

For: retail shops featuring jewelry and watches

International Class: 035 - Primary Class **U.S Class:** 100, 101, 102

Class Status: ACTIVE

Basis: 1(a)

First Use: Oct. 1940 **Use in Commerce:** Oct. 1940

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: VAN CLEEF & ARPELS SA

Owner Address: 8 ROUTE DE CHANDOLAN
1752 VILLARS-SUR-GLANE
SWITZERLAND

State or Country

**Legal Entity
Type:** CORPORATION

**Where
Organized:** SWITZERLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lawrence E. Apolzon **Docket Number:** VCA 0308919

Correspondent

**Correspondent
Name/Address:** LAWRENCE E APOLZON
FROSS ZELNICK LEHRMAN & ZISSU PC
866 UNITED NATIONS PLZ
NEW YORK, NEW YORK 10017
UNITED STATES

Domestic Representative

**Domestic
Representative
Name:** FROSS ZELNICK LEHRMAN & ZISSU, P.C.

Prosecution History

Date	Description	Proceeding Number
Mar. 16, 2011	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
Mar. 16, 2011	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Feb. 28, 2011	TEAS SECTION 8 & 15 RECEIVED	
Mar. 21, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 29, 2005	REGISTERED-PRINCIPAL REGISTER	
Jan. 04, 2005	PUBLISHED FOR OPPOSITION	
Dec. 15, 2004	NOTICE OF PUBLICATION	
Nov. 02, 2004	LAW OFFICE PUBLICATION REVIEW COMPLETED	78145
Nov. 02, 2004	ASSIGNED TO LIE	78145
Nov. 02, 2004	ASSIGNED TO LIE	78145
Oct. 14, 2004	APPROVED FOR PUB - PRINCIPAL REGISTER	
Oct. 08, 2004	AMENDMENT FROM APPLICANT ENTERED	73793

Sep. 22, 2004	CORRESPONDENCE RECEIVED IN LAW OFFICE	73793
Sep. 22, 2004	PAPER RECEIVED	
Sep. 07, 2004	NON-FINAL ACTION MAILED	
Sep. 07, 2004	NON-FINAL ACTION WRITTEN	65720
Sep. 05, 2004	ASSIGNED TO EXAMINER	65720
Feb. 26, 2004	NEW APPLICATION ENTERED IN TRAM	

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location:	TMO LAW OFFICE 116	Date in Location:	Mar. 16, 2011
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Assignment Abstract of Title Information

Summary

Total Assignments:	1	Registrant:	Van Cleef & Arpels Logistics S.A.
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Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [3503/0066](#)

Pages: 3

Date Recorded: Mar. 19, 2007

Supporting Documents: [assignment-tm-3503-0066.pdf](#)

Assignor

Name: [VAN CLEEF & ARPELS LOGISTICS S.A.](#)

Execution Date: Nov. 23, 2006

Legal Entity Type: CORPORATION

State or Country Where SWITZERLAND

Organized:

Assignee

Name: [VAN CLEEF & ARPELS SA](#)

Legal Entity Type:	CORPORATION	State or Country Where Organized:	SWITZERLAND
---------------------------	-------------	--	-------------

Address: 8 ROUTE DE CHANDOLAN
1752 VILLARS-SUR-GLANE, SWITZERLAND

Correspondent

**Correspondent
Name:** LAWRENCE ELI APOLZON

**Correspondent
Address:** FROSS ZELNICK LEHRMAN & ZISSU, P.C.
866 UNITED NATIONS PLAZA
NEW YORK, NY 10017

Domestic Representative - Not Found

Generated on 2012-11-09T14:07:00.373-05:00

Generated on: This page was generated by TSDR on 2012-11-09 14:07:00 EST**Mark:** VC A**US Serial Number:** 76368105**Application Filing Date:** Feb. 07, 2002**US Registration Number:** 2692672**Registration Date:** Mar. 04, 2003**Register:** Principal**Mark Type:** Trademark**Status:** A Sections 8 and 15 combined declaration has been accepted and acknowledged.**Status Date:** May 22, 2008**Publication Date:** Dec. 10, 2002

Mark Information

Mark Literal Elements: VC A**Standard Character Claim:** No**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)**Description of Mark:** The mark consists of the letters "VCA" and a stylized design of the famous column of "LA PLACE VENDOME" in Paris.**Color(s) Claimed:** Color is not claimed as a feature of the mark.**Lining and Stippling Statement:** The lining in the drawing is a feature of the mark.

Design Search Code(s): 17.03.04 - Bars, gold;Gold bars;Ingot (bar or block of precious or non-precious metal);Ingots
 26.07.21 - Diamonds that are completely or partially shaded

Related Properties Information

Claimed Ownership
of US Registrations: [1584572](#)

Goods and Services

Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks *..* identify additional (new) wording in the goods/services.

For: [Precious metals and their alloys sold in bulk;] goods made of precious metals or coated therewith, namely, [studs for ties, shirts, collars and tuxedos], button covers, hair ornaments, headbands, buckles,[money clips, keys, key chains] ; jewelry, precious stones, [phonological and chronometrical] * horological and chronometric * instruments, namely, chronometers, chronographs for use as watches; necklaces; chains, clips, ear clips, stud earrings, rings and pendants, all being jewelry; watches, watch bracelets, clocks; [cufflinks]

International Class:	014 - Primary Class	U.S Class:	002, 027, 028, 050
Class Status:	ACTIVE		
Basis:	1(a)		
First Use:	Dec. 01, 1939	Use in Commerce:	Dec. 01, 1939

Basis Information (Case Level)

Filed Use:	Yes	Currently Use:	Yes	Amended Use:	No
Filed ITU:	No	Currently ITU:	No	Amended ITU:	No
Filed 44D:	No	Currently 44D:	No	Amended 44D:	No
Filed 44E:	No	Currently 44E:	No	Amended 44E:	No
Filed 66A:	No	Currently 66A:	No		
Filed No Basis:	No	Currently No Basis:	No		

Current Owner(s) Information

Owner Name: VAN CLEEF & ARPELS SA
 8, ROUTE DE BICHES
Owner Address: 1752 VILLARS-SUR-GLANE, CHX
 SWITZERLAND

Legal Entity Type: CORPORATION **State or Country Where Organized:** SWITZERLAND

Attorney/Correspondence Information

Attorney of Record

Attorney Name: Lawrence E. Apolzon **Docket Number:** VCA 08/06520

Correspondent

Correspondent Name/Address: Lawrence E. Apolzon
 Fross Zelnick Lehrman & Zissu, P.C.
 866 United Nations Plaza
 NEW YORK, NEW YORK 10017
 UNITED STATES

Domestic Representative

Domestic Representative Name: Fross Zelnick Lehrman & Zissu, P.C.

Prosecution History

Date	Description	Proceeding Number
Aug. 25, 2012	AMENDMENT UNDER SECTION 7 - ISSUED	69471
Aug. 23, 2012	SEC 7 REQUEST FILED	69471
Aug. 25, 2012	CERTIFICATE OF CORRECTION ISSUED	69471
Aug. 24, 2012	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Aug. 23, 2012	TEAS SECTION 7 REQUEST RECEIVED	
Jul. 17, 2008	CASE FILE IN TICRS	
May 22, 2008	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
May 13, 2008	ASSIGNED TO PARALEGAL	68335
Apr. 29, 2008	TEAS SECTION 8 & 15 RECEIVED	

Mar. 21, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Mar. 04, 2003	REGISTERED-PRINCIPAL REGISTER	
Dec. 10, 2002	PUBLISHED FOR OPPOSITION	
Nov. 20, 2002	NOTICE OF PUBLICATION	
Sep. 10, 2002	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 12, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Aug. 12, 2002	PAPER RECEIVED	
Jun. 03, 2002	NON-FINAL ACTION MAILED	
May 17, 2002	ASSIGNED TO EXAMINER	72153

Maintenance Filings or Post Registration Information

Affidavit of Continued Use:	Section 8 - Accepted
Affidavit of Incontestability:	Section 15 - Accepted
Change in Registration:	Yes
Amendment to a Registration/Renewal Certificate:	In the statement, Column 2, line 3, "2001" is deleted, and 1939 is inserted.
Correction made to Registration:	In the statement, Column 1, line 12, " phonological and chronometrical" should be deleted, and horological and chronometric should be inserted. In the statement, Column 1, line 11, before JEWELRY, ; should be inserted.

TM Staff and Location Information

TM Staff Information - None

File Location

Current Location: POST REGISTRATION

Date in Location: Oct. 04, 2012

Assignment Abstract of Title Information

Summary

Total Assignments: 1

Registrant: VAN CLEEF & ARPELS
LOGISTICS S. A.

Assignment 1 of 1

Conveyance: CHANGE OF NAME

Reel/Frame: [3503/0066](#)

Pages: 3

Date Recorded: Mar. 19, 2007

Supporting Documents: [assignment-tm-3503-0066.pdf](#)

Assignor

Name: [VAN CLEEF & ARPELS LOGISTICS S.A.](#)

Execution Date: Nov. 23, 2006

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Assignee

Name: [VAN CLEEF & ARPELS SA](#)

Legal Entity Type: CORPORATION

State or Country Where Organized: SWITZERLAND

Address: 8 ROUTE DE CHANDOLAN
1752 VILLARS-SUR-GLANE, SWITZERLAND

Correspondent

Correspondent Name: LAWRENCE ELI APOLZON

Correspondent Address: FROSS ZELNICK LEHRMAN & ZISSU, P.C.
866 UNITED NATIONS PLAZA
NEW YORK, NY 10017

Domestic Representative - Not Found

EXHIBIT E

[Hi! Sign in or register](#) | [Daily Deals](#)

[SHOP http://www.ebay.com/itm/Van-Cleef-Arpels-Ladies-Poetic-Complications-Centenaire-Four-Seasons-Gold-/190692432507?pt=Wristwatches&hash=item2c66279a7b](http://www.ebay.com/itm/Van-Cleef-Arpels-Ladies-Poetic-Complications-Centenaire-Four-Seasons-Gold-/190692432507?pt=Wristwatches&hash=item2c66279a7b)


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Van Cleef & Arpels Ladies' Poetic Complications Centenaire Four Seasons Gold

Rare Boutique Limited Edition! White Gold Diamond 36mm

[Like](#) [Want](#) [Own](#)

 Item condition: **New with tags**

History: 6 offers

Price: **US \$84,995.00**

Buy It Now

Add to cart

Best Offer:

Make Offer

Add to Watch list

Shipping: **FREE** One-day Shipping | [See details](#)Item location: **New York, NY, United States**Ships to: **Worldwide**

Delivery:

 On or before **Tue. Nov. 06** to 10020
Estimated by eBay **FAST 'N FREE**
Payments: **PayPal** | [See details](#)Returns: 14 days money back or item exchange, buyer pays return shipping | [Read details](#)
[Email](#) [Facebook](#) [Twitter](#) [Pinterest](#) | [Add to Watch list](#)

Seller information

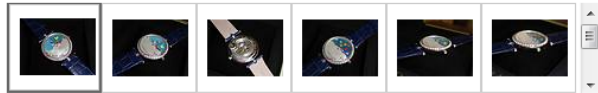
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TRANSLATE



Arabic



Chinese



French



German



Greek



Indonesian



Italian



Hindi



Japanese



Korean



Swedish



Portuguese



Russian



Spanish

Chanel
Chopard
Corum
De Grisogono
Dewitt
Ebel
F.P. Journe
Girard Perregaux
Graham
Harry Winston
Hublot
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Piaget
Raymond Weil
Richard Mille

Motion in Time, Inc.

Super Exclusive & Extremely Rare

BRAND NEW RARE & EXOTIC SPECIAL EDITION

Van Cleef & Arpels Ladies' Poetic Complications

100th Anniversary Centenaire "Four Seasons"

**White Gold Diamond 36mm
Rare Boutique Limited Edition!**

*** * You WILL NOT See Many of These Around! ***

EXCLUSIVE MANUFACTURED TIMEPIECES

Brand New Complete with Box & Papers

Reference No. Ladies' Centenaire "Four Seasons"

BUY IT NOW FOR \$84,995

OR MAKE OFFER!!

Watch Description

Exotic - Rare - And Absolutely Breathtaking! Super Exclusive Poetic Complications from Van Cleef & Arpels.

A powerful & striking watch - will definitely draw attention & makes for a great conversation piece.

This watch features:

Van Cleef & Arpels Ladies' Centenaire "Four Seasons" in 18kt White Gold with Round Brilliant Diamond Bezel & Inner Ring. This Magnificent Masterpiece features a gorgeous Mother-of-Pearl & Painted Enamel Dial. This watch is a RARE 100th Anniversary Edition Limited Edition with a Skeleton Back and a Blue Crocodile Strap with White Gold Diamond Buckle, 36mm.

In order to celebrate its 100th anniversary, jeweller Van Cleef & Arpels has created the Lady Arpels Centenaire. The large case (which measures 36mm) was designed by Pierre Arpels in 1949. Its central decoration is also inspired by the same 1949 model. It is crafted out of 18kt white gold. The watch face represents the four seasons and is composed of two separate sections. The first is a natural white mother-of-pearl disk which rotates around the dial every three months, with a second part, which is hand-painted enamel, that shows a garden which represents the four seasons.

A 36 mm diameter case, in white gold, sapphire crystal, satin strap with "ardillon" buckle, crimped with diamonds. Movement with complication, based on a mechanical movement : turning disc on an imperceptible way : "Le Quantième de Saisons".

Combining stylistic inventiveness and technical virtuosity, Van Cleef & Arpels Poetic Complications are genuine marvels that don't just measure time but also evoke its poetic dimension.

100% GUARANTEED AUTHENTIC WITH A 2 YEAR EXTENDED WARRANTY!

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All of the watches we list are in stock and available for overnight delivery or same day pick up from our New York City store.

If you are interested in a watch or diamond, and do not see it posted, please feel free to either email or call us. Chances are we have what you are looking for in stock...

E-Mail or Call ~ HAPPY BIDDING.

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We do not ship to Indonesia or Malaysia. Please don't bid on any items.

Import duties, taxes, and charges are NOT INCLUDED in the item price or shipping charges. These charges are the buyer's responsibility. Please check with your country's customs office to determine what these additional costs will be prior to bidding / buying. These charges are normally collected by the delivering freight (shipping) company or when you pick the item up; do not confuse them for additional shipping charges. We do not mark merchandise values below value or mark items as "gifts". U.S. and International government regulations prohibit such behavior.

We reserve the right to use the most secure shipping method and/or company to ship your purchase. Calculated shipping and insurance is an estimate only and may not reflect the actual cost of shipping and insurance. Once we have your shipping address, we can give you an exact cost for shipping and insurance. If you would like this information prior to bidding, please contact us.

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* *Motion in Time* is a full-service watch and jewelry store located at 56 West 47 Street, New York, NY 10036 (Between 5th & 6th Avenues).

* Be confident when buying from us ~ We are wholesalers of the world's finest wristwatches and sell brands ranging from Patek Philippe to Movado.

* We are members of the International Watch & Jewelry Guild (IWJG)

* We give an extended two-year warranty on all watches purchased.

* We are located in the Heart of the New York Diamond District in Manhattan.

Our main goal is a simple one: **"Treat our clients as we would like to be treated ourselves"**

* We have an actual store where you can come in and try on the watch prior to bidding! That's right..... All the watches that we list on E-Bay are not watches that we are brokering. Everything we have listed are watches that we have in stock ready to be shipped once the auction ends.

Payment Methods:

Credit Cards: We accept Visa/MasterCard, American Express (If paying with Credit Card, you must be within the United States and your billing and ship to address must be the same)

PayPal: PayPal users must be Verified and Confirmed. Regarding PayPal

Payments: We will only ship to the PayPal confirmed address. It is a requirement of PayPal in order to meet their protection policy. By adhering to their safety regulations, we are able to conduct safer business and as a result sell our items at lower prices.

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